

## TO CODIFY THE LAWS.

Bill Creating a Code Commission Passed the House.

## ONE RAILROAD BILL UP.

CRITCHLOW'S TRANSPORTATION MEASURE GIVEN THIRD READING.

Mr. Taylor Speaks at Length in Favor of the Bill to Abolish Capital Punishment—Monson Has Critchlow's Objection Expunged From the Record—Three Medical Bills Killed—Design For a Great Seal—Mr. Nye's Persistence Rewarded.

The house had recovered its equanimity yesterday, and instead of the disorderly scene of the day before, got down to business and transacted a big lot of it.

Interest in the proceedings began in the morning, when Mr. Monson moved to expunge from the minutes Mr. Critchlow's objection to having the bill to repeal the meat inspection law transmitted to the governor, which prevailed. There were two matters of significance connected with this motion. Mr. Critchlow's objection was entered for the purpose of calling the governor's attention to the fact of an irregularity of procedure in the passage of the measure in the hope that his excellency would disapprove of it. Mr. Monson wanted to make a little pleasure in expunging the objection from the record because Mr. Critchlow had been instrumental in having him treated in a like manner once upon a time when he had a resolution spread on the minutes which was objectionable to the Republican side of the house. Yesterday's incident passed off with particular notice.

The bill providing for a revision and codification of the laws of the state occupied the rest of the afternoon. Its passage was attended by an effort to amend by reducing the compensation to be allowed the code commission, which gave rise to numerous oratorical efforts, during which some rather pointed remarks were directed at the legal contingent of the members, which prompted Mr. Critchlow to join in the debate in an impassioned defense of the profession. The bill passed when the final vote was taken without opposition.

Mr. Bolitho occupied the speaker's chair in the afternoon, during which the bulk of the business of the day was done.

Three bills were killed by the adoption of adverse committee reports. They were the bills before the public health committee in relation to the practice of medicine.

The special committee appointed to decide upon a design for a great seal of the state reported recommending the adoption of the design submitted by C. M. Jackson of The Herald and Harry Edwards, the report being adopted.

The senate bill in relation to private corporations was amended in an important particular, and the bill was finally disposed of by the house concurring in the senate amendments to the bill.

The bill to abolish capital punishment came before the house on third reading, and Mr. Taylor spoke for over an hour in its interest. It was then laid over till Tuesday.

The third reading of the Critchlow railroad bill occupied the closing minutes of the session. The bill was secured. The debate on the measure will, it is expected, consume the major portion of this morning's session if not the greater part of the day.

The house having been adjourned, the revenue and salaries bills and referred them to committee.

## THE MORNING SESSION.

When the clerk had finished reading the minutes of the previous session, Mr. Monson moved to expunge from the record Mr. Critchlow's objection to having the bill No. 86 transmitted to the governor, which was ordered filed Thursday.

Mr. Lewis objected to the motion on the ground that Mr. Critchlow would want to bring the question up, and would want the record to show he had given notice.

The speaker was loath to put the motion, but finally did so, resulting in division in expunging the objection.

Mr. Sorenson presented the claim of San Juan county for \$36.41, being half of the claim of J. N. Pearce for expenses during Indian troubles in 1886. The same having been paid by San Juan county. Mr. Sorenson also presented the claim of R. J. Thomson for \$100 for hauling guns and ammunition during the same disturbances.

Mr. Curtis presented, by request, a petition signed by seventy-five residents of Weber county, asking the enactment of H. B. Nos. 116 and 117, Mr. Holtho's bill to regulate Pullman car charges, and freight and passenger rates on railroads.

The house received from the senate the following bills, which were read first and second times and referred: S. B. No. 102, the salaries bill; S. B. No. 103, by Sutherland, relating to the storage of mail and express freight transported by common carriers.

TO CODIFY THE LAWS. H. B. No. 106, creating a code commission for a revision and codification of the laws of Utah, was taken up on third reading.

The bill provided for a commission of three to be appointed by the governor from among the legal fraternity, who were to be known as the code commission, who were to be paid \$10 a day for the work.

Mr. Stevens thought it was not necessary that all the members be lawyers, and moved to so amend as to leave it optional with the governor, by making the bill read that at least one member should be learned in the law.

Messrs. Stevens and Nebeker of Salt Lake spoke in favor of the amendment, which received a majority vote, and was adopted by a faint viva voce vote.

Mr. Thorne then moved to reduce the pay of the members of the commission from \$10 to \$7 per day, and the pay of the clerical assistance provided for from \$7 to \$5.

Mr. Thorne said in support of the motion that he believed that the men entirely capable of performing the work could be secured for the amounts named in his amendment.

Mr. Cazier spoke in the affirmative, and Mr. Nye explained the length of the bill. He said he did not think any gentleman would question the necessity of a new codification, and held that it could not be had so as to be a credit to the state for less money than was provided. He mentioned several other states which have recently had a new codification, and in no instance had it cost so little as was proposed in this bill. In all the other states mentioned the compensation of the commission had been more than paid the same amount here proposed.

was not in favor of paying extra money for anything, but he wanted the best codification that could be had, and hardly believed such a one could be had for less than the amounts provided.

Mr. Smoot said he thought to reduce the compensation proposed to give the commission in the bill was a penny wise and pound foolish policy. The best men to be had in the state must be appointed, and that kind of men would not consent to serve for less than \$10 a day.

Mr. Howard supported the amendment. He did not agree with the previous speaker in the statement that the best men in the state could not be had for the amount proposed in the amendment. He had perfect confidence in the governor, that he would appoint none but the best men, and he had no doubt they would accept. Besides, he did not think the members of the commission, receiving the compensation provided in the amendment, would be prompted to drag out the work longer than was necessary on account of the extra \$3, as they would be if they were to receive \$10.

Mr. Critchlow arose, somewhat perturbed, and said that either the business men or the attorneys who might be appointed on the commission would be so low as to prolong the work simply for the extra compensation. Mr. Critchlow construed some of the remarks of the gentlemen who had preceded him as putting a slight upon his profession, and started to insist on it. It has been stated, he said, that lawyers would favor having the laws in a chaotic condition, and these same sort might be appointed. This was a statement which had riled the gentleman's usually even temper.

He referred to the bill introduced to bar members of the profession from becoming members of the legislature, and to numerous slighting remarks that had been passed at the profession by various numbers of the gentlemen, and said that when such things occurred at first it was calculated to make one feel bad, and to be somewhat surprised at the attack, and wonder what was the reason, but when it became so frequent one became callous and on looking about a bit could easily discern the motive. Illustrating his point he said: "Because one preacher falls, you do not cease to have faith in the ministerial profession, but continue to look about a bit, and you can easily discern the motive. If one doctor fell or made a mistake, the whole profession was not condemned, and you would not cease to have faith in the medical profession. If one lawyer made a mistake, slipped and fell, the whole profession was condemned."

He undertook to say there were as many honest, honorable men in the legal profession as in any other in any other profession, and he would have a business man to go to his attorneys and ask to have things done which they themselves would not do, and which they would deny if they heard of an attorney doing them. Then if they refuse as they do, they were denounced by the people who tried to get them to do their duty.

This was the burden of the gentleman's remarks, speaking as he said, as a citizen who loved his profession, and in defense of it.

Returning to the subject, he said if business men were appointed on the commission, they would have a business man's codification. Lawyers only were capable of performing the work to be imposed on the commission. It was foolish to appoint business men as to put a lawyer in the Z. C. M. I. and tell him to run the business. The best lawyers in the state should be called upon to perform the work, and they could not be secured for less than the amount provided.

Mr. Stevens rose to inform the house he had not offered the amendment which he had secured to the bill with the intention of putting any slight upon the attorneys.

Dr. Condon, referring to Mr. Critchlow's reference to the medical fraternity, said that notwithstanding the gentleman's remarks he would favor the bill as it stood.

Mr. Bolitho moved the previous question and the amendment was lost, the following being the detailed vote: Ayes—Curtis, Cazier, Egan, Gibson, Howard, Larsen, Lemmon, Sorenson, Thorne, Thompson of Sanpete—total, 10. Nays—Andrus, Beard, Bolitho, Bernhisel, Critchlow, Cushman, Gusting, Clark, Ferguson of Carbon, Gibbs, Heimer, Lewis, Lowrey, Morrison, Monson, Maughn, Murdoch, Mansfield, Nebeker of Salt Lake, Nye, Robinson, Smoot, Taylor, Thorne of Millard, Wilson, Mr. Speaker—total, 30; absent, 5.

A motion to take a recess followed, but was withdrawn in favor of the final passage of the bill, which was then passed by a unanimous vote in favor.

RECESS TILL 2 O'CLOCK WAS THEN TAKEN.

AFTERNOON SESSION. Mr. Bolitho, who occupied the speaker's chair for a few minutes in the morning, was again called to the chair to preside when the house convened in the afternoon.

CONSIDERATION DEFERRED. S. B. No. 95, providing for service of verdicts, subpoenas, writs, etc., by mail in certain cases was read the third time and laid over till today.

MEDICAL BILL KILLED. Dr. Condon presented the report of the committee on public health, recommending indefinite postponement of H. B. No. 106, making malpractice a crime, and H. B. No. 107, regulating the practice of medicine, and H. B. No. 4, amending the present statute regulating the practice of medicine, the reason given being that while present laws are not perfect, they appear to be satisfactory and that more important legislation engages the attention of the session.

A DESIGN ADOPTED. The special committee on great seal of the state submitted a design recommended by the committee. Both committee reports were adopted.

FROM THE SENATE. A communication from the senate notified the house of concurrence in house amendments to S. B. No. 96, and that the senate had further amended.

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PRIVATE CORPORATIONS BILL.

## CITY BUILDING COMMITTEE STILL "CONSIDERING" HIS CLAIM.

The Contractor Has Already Been Forced to the Wall By Needless Delay, and a Settlement is Not Yet in Sight.

The old joint city and county building committee was slated for a meeting at the mayor's office yesterday afternoon for the special purpose of considering the J. W. Farrell claim. The members, except O'Meara, got together, but when the matter was taken up the point arose whether the claim was not properly one for the city members of the committee to consider alone, the county having settled in full for its share of the claim.

Judge Dey, representing Mr. Farrell, was present and urged a prompt settlement. He begged the members to bear in mind that the failure of securing a prompt settlement for the work on the joint building had forced his client to the wall. If the city would settle promptly it would be of great assistance to Mr. Farrell particularly at this time.

The total amount of the claim against the city is in round numbers \$5,000. Of this amount about \$1,500 is for electric switches and is the only one about which there is any controversy, the balance having been adjusted by former committees as well as special commissioners employed to investigate the claim.

No action was taken by the committee. The county members retired and the claim was taken up by Messrs. Newell and Buckle, but the latter wanted to go over the whole matter more fully, and it is doubtful if any settlement can be agreed upon at the next meeting of the council.

Important Facts. If you have dull and heavy pain across forehead and about the eyes; if the nostrils are frequently stopped up and followed by a disagreeable discharge; if soreness in the nose and bleeding from the nostrils is often experienced; if you are very sensitive to colds and have a running nose; if you have catarrh; then you may be sure you have catarrh; and should immediately resort to Ely's Cream Balm for a cure. The remedy will give instant relief.

UTAH'S GREAT SEAL. Harry Edwards and C. M. Jackson Carry Off the Honors.

The joint committee of the legislature, having in charge the business of selecting a great seal for the state of Utah, has completed its work and the design proposed by Harry Edwards and C. M. Jackson of this city has been chosen. There were several presented to the committee, but none of them, in the judgment of the committee, approached this one in simplicity and beauty.

The eagle, defiant, holds in his talons a shield, through which are thrust the arrows, at the top, said shield being placed on a background composed of two draped American flags. At the top of the shield under the arrows is the word "Utah." The bee hive, representing "industry" forms the center of the same and is surrounded by the words "The Great Seal of the State of Utah." The shield represents the individuality of Utah. As a territory it was a hive of industry for years worked earnestly for the common purpose—statehood. The "bee" will ever perpetuate the memory of the hardy pioneers who first came to this valley in that eventful year, and whose labors in building up this commonwealth are the basis of our present greatness. The eagle deserves commemoration, not alone because of its beauty, but for the reason that in those times, when food was scarce, it formed a means of sustenance and enabled the early settlers to eke out an existence, until crops could be raised.

The flags and the eagle represent the greatness of the nation of which Utah forms a portion. The "shield" perpetuates the beginning of Utah's greatness as a sovereign state. The other words are of necessity incorporated.

The design is the result of a great deal of painstaking work on the part of the designers. The first sketch was made by Mr. Jackson. Just after the appointment of the committee, while he was in the senate, and as he was not an artist, it was not by means as perfect as the one presented and accepted. This sketch was submitted to Mr. Edwards who drew it in further proportions and after completing it, painted it in colors. From that time on the matter was talked over nearly every day and various new ideas suggested until the seal was perfected. There were some presented which were a great deal more elaborate, but the seal cutter called in to give advice considered elaboration a fatal defect in getting impressions, so this simple suggestion was chosen.

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